

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3760 OF 2005

Sunil Lazarous Anthony. ... Applicant.

Versus.

The State of Maharashtra. ... Respondent.

Shri Subhod Desai for the Applicant.

Ms.Sangeeta Shinde, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 16th June, 2005.

P.C.:

1. Not on board. By consent of the Counsel appearing for the parties taken up for hearing.

2. The Applicant filed an application for anticipatory bail in the Sessions Court at Pune. On 14th June 2005 the learned 6th Additional Sessions Judge, Pune, without granting any protection to the Applicant simply adjourned the Application till 17th June 2005. From the perusal of the said order, it appears that the learned Judge was not inclined to grant anticipatory bail without hearing the otherside. However, the learned Judge did not grant any ad-interim relief.

3. In my view the Applicant deserves to be protected till the Application is heard. As the Application is pending before the learned Sessions Judge, I am not recording any findings on merit of the matter.

4. Hence the following order is passed:

- (i) Till disposal of the Criminal Miscellaneous Application No.1016 of 2005 pending before the learned 6th Additional Sessions Judge, Pune, the Applicant shall not be arrested in connection with C.R.No.119/05 registered with Vishrantwadi Police Station, Pune, subject to condition that the Applicant will attend the concerned Police Station as and when called upon to do so and will cooperate with the investigation.
- (ii) It is made clear that the learned Additional Sessions Judge will decide the application on its own merits without being influenced by the limited protection granted by this Court.
- (iii) In case the Application for anticipatory bail is rejected by the learned Sessions Judge, protection granted by this order will continue to operate for three days from the date of rejection of the application.
- (iv) The parties to act on an authenticated copy of this order.

Judge.